



AN ACT ALLOWING A COUNTY TO ENTER INTO COOPERATIVE PURCHASING AGREEMENTS WITH CERTAIN ENTITIES; EXEMPTING COOPERATIVE PURCHASING AGREEMENTS FROM COMPETITIVE BIDDING REQUIREMENTS; AMENDING SECTION 7-5-2304, MCA; AND PROVIDING AN APPLICABILITY DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Power to enter and execute cooperative purchasing agreements. (1) A county may enter into an agreement for cooperative purchasing as defined in 18-4-401 with:

- (a) the state;
- (b) a political subdivision of the state or any other state; and
- (c) any other government entity as defined in 2-11-103.

(2) Goods or services procured by participation in a cooperative purchasing agreement or program allowed in this section are considered to have been acquired in accordance with this part.

Section 2. Section 7-5-2304, MCA, is amended to read:

"7-5-2304. Exemptions from competitive bidding requirements. The provisions of 7-5-2301 do not apply to contracts for:

- (1) public printing entered into in accordance with the provisions of Title 18, chapter 7, part 4; ~~and~~
- (2) purchases that, in the opinion of the governing body, are made necessary by fire, flood, explosion, storm, earthquake, other elements, epidemic, or riot or insurrection; for the immediate preservation of order or the public health; for the restoration of a condition of usefulness that has been destroyed by accident, wear, tear, or mischief; or for the relief of a stricken community overtaken by calamity; and

(3) a cooperative purchasing agreement allowed in [section 1]."

Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 7, chapter 5, part 23, and the provisions of Title 7, chapter 5, part 23, apply to [section 1].

Section 4. Applicability. [This act] applies to contracts for cooperative purchasing entered into by a county on or after [the effective date of this act].

- END -

I hereby certify that the within bill,
SB 171, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2021.

Speaker of the House

Signed this _____ day
of _____, 2021.

SENATE BILL NO. 171

INTRODUCED BY C. FRIEDEL, B. BENNETT, J. ELLSWORTH, S. HINEBAUCH, T. JACOBSON, R. LYNCH,
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ZOLNIKOV, J. COHENOUR

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